H. R. 3974

To reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 8, 2012

Mr. Markey (for himself, Ms. Lee of California, Mr. Clarke of Michigan, Mr. Jackson of Illinois, Mr. Stark, Ms. Woolsey, Mr. Holt, Mr. Filner, Ms. Slaughter, Mr. Nadler, Mr. Brady of Pennsylvania, Mr. Kucinich, Mr. Lewis of Georgia, Mr. Conyers, Mr. Grijalva, Ms. Norton, Mr. Braley of Iowa, Mr. Polis, Mr. Honda, Mr. Blumenauer, Mr. Frank of Massachusetts, Mr. Ellison, Mrs. Maloney, Ms. Kaptur, Mr. Defazio, Mr. Bishop of New York, Mr. McGovern, Ms. Richardson, Mr. Olver, Mr. McDermott, Mr. Payne, Ms. Eshoo, Mrs. Christensen, Mr. Tierney, and Mr. Farr) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new longrange penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

1 SECTION 1. SHORT TITLE.

- 2 This Act may be cited as the "Smarter Approach to
- 3 Nuclear Expenditures Act".
- 4 SEC. 2. FINDINGS.

mind.

- 5 Congress finds the following:
- (1) The Berlin Wall fell in 1989, the U.S.S.R.

 no longer exists, and the Cold War is over. The na
 ture of threats to the national security and military

 interests of the United States has changed. How
 ever, the United States continues to maintain an

 enormous arsenal of nuclear weapons and delivery

 systems that were devised with the Cold War in
 - (2) The current nuclear arsenal of the United States includes approximately 5,000 total nuclear warheads, of which approximately 2,000 are deployed with three delivery components: long-range strategic bomber aircraft, land-based intercontinental ballistic missiles, and submarine-launched ballistic missiles. The bomber fleet of the United States comprises 93 B–52 and 20 B–2 aircraft. The United States maintains 450 intercontinental ballistic missiles. The United States also maintains 14 Ohio-class submarines, up to 12 of which are deployed at sea. Each of these submarines is armed

- with up to 96 independently targetable nuclear warheads.
 - (3) This Cold War-based approach to nuclear security comes at significant cost. Over the next 10 years, the United States will spend hundreds of billions of dollars maintaining its nuclear force. A substantial decrease in the nuclear arsenal of the United States is prudent for both the budget and national security.
 - (4) The national security interests of the United States can be well served by reducing the total number of deployed nuclear warheads and their delivery systems, as suggested by the Department of Defense's January 2012 strategic guidance titled "Sustaining U.S. Global Leadership: Priorities for 21st Century Defense". Furthermore, a number of arms control, nuclear, and national security experts have urged the United States to reduce the number of deployed nuclear warheads to no more than 1,000.
 - (5) Economic security and national security are linked and both will be well served by smart defense spending. Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, stated on June 24, 2010, that "Our national debt is our biggest national security

- 1 threat" and on August 2, 2011, stated that "I
- 2 haven't changed my view that the continually in-
- 3 creasing debt is the biggest threat we have to our
- 4 national security.".
- 5 (6) The Government Accountability Office has
- 6 found that there is significant waste in the construc-
- 7 tion of the nuclear facilities of the National Nuclear
- 8 Security Administration of the Department of En-
- 9 ergy.

10 SEC. 3. REDUCTION IN NUCLEAR FORCES.

- 11 (a) Prohibition on Use of B-2 and B-52 Air-
- 12 CRAFT FOR NUCLEAR MISSIONS.—Notwithstanding any
- 13 other provision of law, none of the funds authorized to
- 14 be appropriated or otherwise made available for fiscal year
- 15 2013 or any fiscal year thereafter for the Department of
- 16 Defense may be obligated or expended to arm a B-2 or
- 17 B-52 aircraft with a nuclear weapon.
- 18 (b) Prohibition on New Long-Range Pene-
- 19 TRATING BOMBER AIRCRAFT.—Notwithstanding any
- 20 other provision of law, none of the funds authorized to
- 21 be appropriated or otherwise made available for any of fis-
- 22 cal years 2013 through 2023 for the Department of De-
- 23 fense may be obligated or expended for the research, devel-
- 24 opment, test, and evaluation or procurement of a long-
- 25 range penetrating bomber aircraft.

- 1 (c) Prohibition on F-35 Nuclear Mission.—
- 2 Notwithstanding any other provision of law, none of the
- 3 funds authorized to be appropriated or otherwise made
- 4 available for fiscal year 2013 or any fiscal year thereafter
- 5 for the Department of Defense or the Department of En-
- 6 ergy may be used to make the F-35 Joint Strike Fighter
- 7 aircraft capable of carrying nuclear weapons.
- 8 (d) Termination of B61 Lep.—Notwithstanding
- 9 any other provision of law, none of the funds authorized
- 10 to be appropriated or otherwise made available for fiscal
- 11 year 2013 or any fiscal year thereafter for the Department
- 12 of Defense or the Department of Energy may be obligated
- 13 or expended for the B61 life extension program.
- 14 (e) Termination of W78 LEP.—Notwithstanding
- 15 any other provision of law, none of the funds authorized
- 16 to be appropriated or otherwise made available for fiscal
- 17 year 2013 or any fiscal year thereafter for the Department
- 18 of Defense or the Department of Energy may be obligated
- 19 or expended for the W78 life extension program.
- 20 (f) REDUCTION OF NUCLEAR-ARMED SUB-
- 21 Marines.—Notwithstanding any other provision of law,
- 22 beginning in fiscal year 2013, the forces of the Navy shall
- 23 include not more than eight operational ballistic-missile
- 24 submarines available for deployment.

- 1 (g) Limitation on SSBN-X Submarines.—Not-2 withstanding any other provision of law—
- 3 (1) none of the funds authorized to be appro-4 priated or otherwise made available for any of fiscal 5 years 2013 through 2023 for the Department of De-
- 6 fense may be obligated or expended for the procure-
- 7 ment of an SSBN-X submarine; and
- 8 (2) none of the funds authorized to be appro-9 priated or otherwise made available for fiscal year 10 2024 or any fiscal year thereafter for the Depart-11 ment of Defense may be obligated or expended for 12 the procurement of more than eight such sub-
- 14 (h) REDUCTION OF ICBMs.—Notwithstanding any
- 15 other provision of law, none of the funds authorized to
- 16 be appropriated or otherwise made available for fiscal year
- 17 2013 or any fiscal year thereafter for the Department of
- 18 Defense may be obligated or expended to maintain more
- 19 than 200 intercontinental ballistic missiles.
- 20 (i) Reduction of SLBMs.—Notwithstanding any
- 21 other provision of law, none of the funds authorized to
- 22 be appropriated or otherwise made available for fiscal year
- 23 2013 or any fiscal year thereafter for the Department of
- 24 Defense may be obligated or expended to maintain more
- 25 than 250 submarine-launched ballistic missiles.

13

marines.

- 1 (j) Prohibition on New ICBM.—Notwithstanding
- 2 any other provision of law, none of the funds authorized
- 3 to be appropriated or otherwise made available for fiscal
- 4 year 2013 or any fiscal year thereafter for the Department
- 5 of Defense may be obligated or expended for the research,
- 6 development, test, and evaluation or procurement of a new
- 7 intercontinental ballistic missile.
- 8 (k) Termination of MOX Fuel Plant
- 9 Project.—Notwithstanding any other provision of law,
- 10 none of the funds authorized to be appropriated or other-
- 11 wise made available for fiscal year 2013 or any fiscal year
- 12 thereafter for the Department of Defense or the Depart-
- 13 ment of Energy may be obligated or expended for the
- 14 Mixed Oxide (MOX) Fuel Fabrication Facility project.
- 15 (l) Termination of CMRR Project.—Notwith-
- 16 standing any other provision of law, none of the funds au-
- 17 thorized to be appropriated or otherwise made available
- 18 for fiscal year 2013 or any fiscal year thereafter for the
- 19 Department of Defense or the Department of Energy may
- 20 be obligated or expended for the Chemistry and Metal-
- 21 lurgy Research Replacement nuclear facility.
- 22 (m) Termination of UPF.—Notwithstanding any
- 23 other provision of law, none of the funds authorized to
- 24 be appropriated or otherwise made available for fiscal year
- 25 2013 or any fiscal year thereafter for the Department of

- 1 Defense or the Department of Energy may be obligated
- 2 or expended for the Uranium Processing Facility located
- 3 at the Y-12 National Security Complex.
- 4 (n) Termination of MEADS.—Notwithstanding
- 5 any other provision of law, none of the funds authorized
- 6 to be appropriated or otherwise made available for fiscal
- 7 year 2013 or any fiscal year thereafter for the Department
- 8 of Defense may be obligated or expended for the medium
- 9 extended air defense system.

10 SEC. 4. REPORTS REQUIRED.

- 11 (a) Initial Report.—Not later than 180 days after
- 12 the date of the enactment of this Act, the Secretary of
- 13 Defense and the Secretary of Energy shall jointly submit
- 14 to the appropriate committees of Congress a report out-
- 15 lining the plan of each Secretary to carry out section 3.
- 16 (b) Annual Report.—Not later than March 1,
- 17 2013, and each year thereafter, the Secretary of Defense
- 18 and the Secretary of Energy shall jointly submit to the
- 19 appropriate committees of Congress a report outlining the
- 20 plan of each Secretary to carry out section 3, including
- 21 any updates to previously submitted reports.
- 22 (c) Annual Nuclear Weapons Accounting.—
- 23 Not later than September 30, 2013, and each year there-
- 24 after, the President shall transmit to the appropriate com-
- 25 mittees of Congress a report containing a comprehensive

accounting by the Director of the Office of Management 2 and Budget of the amounts obligated and expended by the 3 Federal Government for each nuclear weapon and related 4 nuclear program during— 5 (1) the fiscal year covered by the report; and 6 (2) the life cycle of such weapon or program. 7 (d) Appropriate Committees of Congress De-FINED.—In this section, the term "appropriate commit-8 tees of Congress" means— (1) the Committee on Armed Services, the 10 11 Committee on Foreign Relations, the Committee on 12 Appropriations, and the Committee on Energy and 13 Natural Resources of the Senate; and 14 (2) the Committee on Armed Services, the 15 Committee on Foreign Affairs, the Committee on 16 Appropriations, the Committee on Energy and Com-

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the House of Representatives.

merce, and the Committee on Natural Resources of

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18